

Entered - 10/01/98 - sb
CL 98L0656 - GWENDOLYN BURNS

CLAIM OF: WILLIAM B. REEVES
4343 Town Commons Circle, NE
Atlanta, Georgia 30319


01- R-0409

For damages alleged to have been sustained as a result of a sewer backup incident on April 8, 1998 at 4474 Paces Battle NW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **WILLIAM B. REEVES** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a sewer backup incident on April 8, 1998 at 4474 Paces Battle NW., as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0656

Date: March 1, 2001

Claimant /Victim WILLAM B. REEVES
BY: (Atty) (Ins. Co.) _____
Address: 4343 Town Commons Circle, NE, Atlanta, Georgia 30319
Subrogation: _____ Claim for Property damage \$ 1,000.00 Bodily Injury \$ _____
Date of Notice: 9/25/98 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X
Date of Occurrence 4/7/98, 4/8/98 Place: 4474 Paces Battle, NW
Department PUBLIC WORKS Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damages to his residence from a sanitary sewer back up. An investigation determined that the City was on notice of said sewer problem at this location, but failed to correct it.

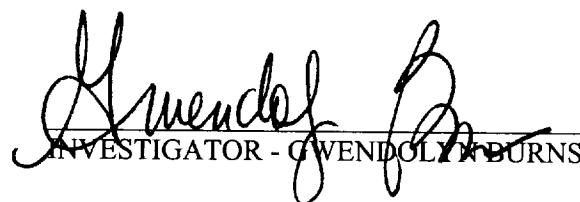
INVESTIGATION:

Statements: City employee _____ Claimant X Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

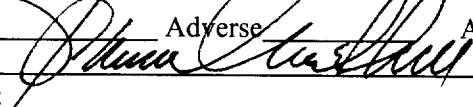
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLY BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 03-02-01
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 9/15/98

ENTERED - 10-1-98 - SB
98L0656 - ANTHONY OATIS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,000 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 4/8/98 2. Time of Incident: 9AM 3. Police called: ✓
(month/day/year). Yes No

4. Location of incident (including street address): 4474 PACE BATTLE NW

5. Name of your insurance company: CHUBB Policy No. 001182052601

6. State what and how incident occurred: City sewer backed up into my house flooding downstairs bedroom. My insurance covered all but \$1,000 deductible.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

WM. B. REEVES

(Print Claimant's Name)

4474 PACE BATTLE

(Address) DR. NW

ATL, GA 30327

(City, State and Zip Code)

404 504 4455

(Work Number)

404 233 4954

(Home Number)

(4) 504-4401 (Fax)

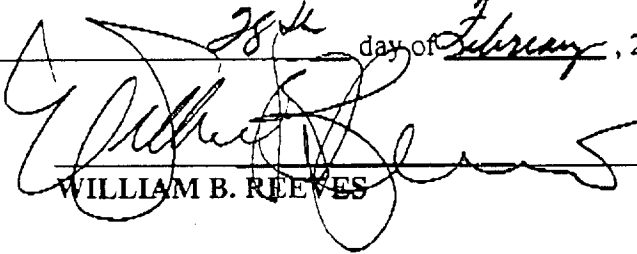
GENERAL RELEASE AND INDEMNIFICATIONCLAIM NUMBER 98L0656\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND 00/100
 DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,
I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,
its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and
expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly
for or on account of a sewer backup
which occurred on or about the 8th day of April, 1998,
at or near 4474 Paces Battle, NW

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

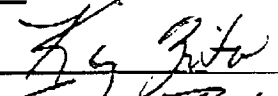
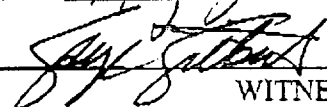
WITNESS my hand and seal this

28th day of February, 20 01


WILLIAM B. REEVES (LS)

(LS)

The above release was read and explained to, and signed by the said William B. Reeves_____
in our presence on the date above written.

WITNESSES

01-*R*-0409